

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

TRUSTEES OF THE SOUTHWEST :  
OHIO REGIONAL COUNCIL OF :  
CARPENTERS PENSION FUND, : Case No. 3:11cv00114  
Plaintiff, : Magistrate Judge Sharon L. Ovington  
vs. : (By full consent of the parties)  
  
GROUP II INSTALLERS, LTD., et al., :  
  
Defendants. :

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**ORDER**

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On October 9, 2012, Plaintiff Trustees of the Southwest Ohio Regional Council of Carpenters Pension Fund filed a motion requesting the current stay be lifted and the Court confirm the Arbitration Award granted in their favor. Defendants have not filed a response, and the time for doing so has passed. This case is presently before the Court upon Plaintiff's Motion to Lift Stay and Confirm Arbitration Award (Doc. #21), and the record as a whole.

Plaintiff filed this action in April 2011, seeking to obtain payment from Defendants for an assessed withdrawal liability to the Southwest Ohio Regional Council of Carpenters Pension Fund. (Doc. #21 at 2). Defendants later requested arbitration take place regarding the withdrawal liability dispute. The parties subsequently filed, and this Court granted, their Joint Motion for Stay Pending Completion of Arbitration (Doc. #19).

The case was stayed on May 22, 2012, pending completion of arbitration. (Doc. #20).

Plaintiff now indicates that arbitration has since concluded and Arbitrator Harold G. Korbee issued an award in favor of the Fund on August 18, 2012. (Doc. #21 at 2). Specifically, Arbitrator Korbee ordered the following:

It is ordered that Group II Installers, Ltd., and CMF Installers, Ltd., (Claimants) jointly and severally, pay to Southwest Ohio Regional Council of Carpenters Pension Plan (Respondent), formerly known as Ohio & Vicinity Regional Council of Carpenters Pension Plan, the sum of \$167,674 with interest accruing from the date of the first installment payment due date of January 1, 2011, until paid in full.

The parties shall pay their own respective legal fees.

The administrative fees and expenses of the American Arbitration Association and the compensation of the Arbitrator shall be borne as incurred.

This Award is in full settlement of all claims, appeals and defenses submitted to this Arbitration. All claims not expressly granted are denied.

(Doc. #21-1 at 7-8). The Court, having reviewed Plaintiff's Motion to Lift Stay and Confirm Arbitration Award (Doc. #21), and noting Defendants have not filed a response in opposition, finds Plaintiff's Motion to be well taken.

Accordingly, it is hereby **ORDERED** that the stay is lifted and the arbitration award confirmed, subject to enforcement by this Court.

The Clerk of Court is directed to lift the stay, enter judgment, and terminate the case from the docket of this Court.

November 9, 2012

s/Sharon L. Ovington  
Sharon L. Ovington  
United States Magistrate Judge